

ORDINANCE NO. 2627

**AN ORDINANCE AUTHORIZING THE CLAYMONT CITY SCHOOL DISTRICT TO CLOSE
A PORTION OF NORTH THIRD STREET DURING SPECIFIC SCHOOL HOURS FOR THE
2016/2017 SCHOOL YEAR,
AND RESCINDING ORDINANCE NO. 1491**

WHEREAS, Dennison Council, in 1966, passed Ordinance No. 1491, through which Dennison Council designated the section of North Third Street running between Sherman Street and Welch Street as a “school area”, and ordered that such roadway be closed to vehicular traffic on school days, from 8:00 AM to 4 PM; and

WHEREAS, Dennison Council has determined that it is no longer appropriate for such roadway to be closed to vehicular traffic for such time periods; and

WHEREAS, the Village of Dennison and the Claymont City School District have been engaging in negotiations regarding the continued use of a section of North Third Street (running between Welch Street and Sherman Street) by the Claymont City School District; and

WHEREAS, the Claymont City School District has advised the Village of Dennison that it will cause a folding metal gate system to be built so as to close off that section of North Third Street during certain school hours for the 2016/2017 school year; and

WHEREAS, Members of Council of the Village of Dennison have determined that it is fair and equitable to allow the Claymont City School District to use that section of North Third Street during certain hours for the 2016/2017 school year.

NOW THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF DENNISON, OHIO that:

- SECTION 1.** During the 2016/2017 school year, the Claymont City School District is hereby authorized to close off the section of North Third Street running between Welch Street and Sherman Street during regular recess hours of the Claymont Intermediate Building.
- SECTION 2.** As a condition for such permitted use, the Claymont City School District is required to install a folding metal gate system, as approved by the Members of the Council of the Village of Dennison, prior to the start of the 2016/2017 school year.
- SECTION 3.** The Claymont City School District shall be required to engage and disengage the folding metal gate system, so as to close off the roadway and reopen the roadway.
- SECTION 4.** The Claymont City School District shall ensure that no automobiles are permitted to travel through, or park on, the section of North Third Street running between Welch Street and Sherman Street at times that the folding metal gate system is engaged.
- SECTION 5.** The Claymont City School District shall indemnify the Village of Dennison from any type of personal injury claim or property damage claim in regard to the use of the

section of North Third Street running between Welch Street and Sherman Street at times that the folding metal gate system is engaged. The Claymont City School District shall procure and maintain adequate insurance coverage to provide such indemnity protection for the Village of Dennison.

SECTION 6. The Head of the Street Department of the Village of Dennison shall have the right to inspect the folding metal gate system so as to verify that the folding metal gate system is appropriate and in compliance with applicable traffic device rules and regulations. In the event the Head of the Street Department of the Village of Dennison determines that remedial works needs to be performed on the folding gate system so as to bring it into compliance, he shall notify the Claymont City School District, who shall be required to complete any necessary remedial work.

SECTION 7. Ordinance 1491, as passed on December 20, 1966, is hereby rescinded.

SECTION 8. This Ordinance shall become effective at the first time permitted by Ohio law.

FIRST READING: May 5, 2016

SECOND READING: May 19, 2016

THIRD READING: June 16, 2016

PASSED: June 16, 2016

Mayor, Village of Dennison

ATTEST:

Fiscal Officer, Village of Dennison

Solicitor, Village of Dennison